



# ATLA Law Reporter

Volume 26

Index

1983

## ANNUAL INDEX

and Table of Cases

for

Volume 26

*ATLA Law Reporter 1983*

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## How to Use this Index

The Law Reporter Annual Index is designed to make your 1983 issues of the *ATLA Law Reporter* a reliable and accessible research tool. Here are a few things you should know to make the best use of your index:

**General Index by Subject (page 3).** The major subject headings in the General Index correspond to the areas of law cover in each issue of the *Law Reporter*:

Admiralty	Consumer Protection	Intentional Torts
Attorneys	Damages	Landlord-Tenant
Auto Accidents	Employee Health & Safety	Premises Liability
Aviation	Government Liability	Products Liability
Commercial Law	Insurance	Professional Malpractice
Constitutional Law	Railroads	Utilities

To locate a particular kind of case, first determine which of these areas your inquiry falls into. Entries within each subject include both factual and legal issues. The numbers following the entries are page numbers in Volume 26 of the *Law Reporter*. **Products Liability (page 16)** and **Professional Malpractice, Medical (page 18)**, because of their length, are subdivided into separate lists of entries for factual issues and legal issues.

**ATLA Criminal Reports Index (page 23).** The Criminal Index occupies the middle four pages of this index. It is designed to be separated from the rest of the index by pulling it out from the staples and filed together with the monthly four-page editions of the *ATLA Criminal Reports*. Page number in the Criminal Index refer to *ATLA Criminal Reports* separate pagination.

**Table of Cases.** This table includes the most complete citation available as of Dec. 30, 1983. It also includes references to up-dates, announcing subsequent reversal, affirmance or settlement of cases.

**Awards Index (page 46).** Entries in this section will direct you to cases in the Law Reporter that contain an award of damages for a particular type of injury.

**Wrongful Death Table (page 47).** This table lists the wrongful death awards reported in Volume 26 of the *Law Reporter*.

**To Obtain Further Information About a Case:** The *Law Reporter* is not able to provide pleadings, transcripts or briefs except where noted in the "Offerings" column each month. The best source for additional information about a case is plaintiff's counsel. The name and city of the ATLA Member involved in a case is provided, where possible, at the end of our report of the case. Your ATLA Membership Directory will provide you with the complete address and phone number of any ATLA Members.

**Back Issues:** Back issues of the *Law Reporter* are available for \$5.00 each, postpaid. Please specify month or issue number.

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1050 31st St., N.W.  
Washington, DC 20007

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- Campanella v. MGM (Cal. Super. Ct. 1983): 419.
- Canadian Nat'l Ry. Co., Jock v., (N.D. N.Y. 1982): 91.
- Cannon, Firestone Tire & Rubber Co. v., 452 A.2d 192 (Md. Ct. Spec. App. 1982): 129-30.
- Cappellini v. McCabe Powers Body Co., 25 ATLA L. Rep. 412-13 (1982): update at 382.
- Carey Canadian Mines, Ltd., Neal v., 548 F. Supp. 357 (E.D. Pa. 1982): 78-79.
- Carlson, Chmielewski v., (Wis. Cir. Ct. 1983): 306.
- Carlton v. Shelton (W.D. Tex. 1982): 38.
- Carolina Enterprises, Inc., Flores v., (Cal. Super. Ct. 1982): 228.
- Carr v. Clorox Corp. (Mich. Cir. Ct. 1982): 36-37.
- Carrier Corp., Sapp v., (Mo. Cir. Ct. 1983): 423-24.
- Carrigan v. New World Enterprises, Ltd., 25 ATLA L. Rep. 221-22 (1982): update at 286.
- Carrillo v. Beech Aircraft Corp. (N.M. Dist. Ct. 1982): 162-63.
- Carroll v. Missouri Pacific R.R. (Tex. Dist. Ct. 1983): 477.
- Carroll Motors, Inc. v. Ford Motor Co. (D. S.C. 1983): 451.
- Carson v. Deere & Co. (M.D. Pa. 1983): 424.
- Carstens v. Burns (S.D. Cir. Ct. 1982): 90.
- Carstensen, Longoria v., (Tex. Dist. Ct. 1983): 428-29.
- Casper, Schilling v., (Cal. Super. Ct. 1982): 64-65.
- Casses v. Delta Steamship Lines, Inc. (E.D. Tex. 1983): 348-49.
- Castagna, Baldino v., 454 A.2d 1012 (Pa. Super. 1982): 128.
- Castillo, Mosely v., 24 ATLA L. Rep. 379 (1981): update at 46.
- Castro v. Kerby (N.M. Dist. Ct. 1982): 76.
- Catalano v. Shepherd (Ariz. Super. Ct. 1982): 159.
- Caterpillar Tractor Co., Boyette v., (Tex. Dist. Ct. 1982): 36.
- Caterpillar Tractor Co., Donahue v., (Wyo. Dist. Ct. 1982): 35.
- Caterpillar Tractor Co., Rooney v., (Ill. Cir. Ct. 1983): 278-79.
- Cavale v. Hudleasco, Inc. (N.Y. Super. Ct. 1982): 17.
- Ceccardi, Anderson v., 451 N.E.2d 780 (Ohio 1983): 463-64.
- Cedars Sinai Med. Center, Ledo v., (Cal. Super. Ct. 1982): 335.
- Cedars-Sinai Med. Center, Salido v., (Cal. Super. Ct. 1983): 331.
- Central Florida Machinery v. Williams Co., Inc., 424 So.2d 201 (Fla. App. 1983): 256.
- Central Gulf Lines, Inc., Bersce v., (E.D. Tex. 1982): 14.
- Cessna Aircraft Co., Bibler v., (E.D. Ark. 1982): 162.
- Cessna Aircraft Co., McGee v., 188 Cal. Rptr. 542 (App. 1983): 176-77.
- Cessna Aircraft Co., Robinson v., (Ohio Ct. C. P. 1982): 209.
- Cessna Aircraft Co., Stacy v., (W.D. Okla. 1983): 161-62.
- Chacon v. Del Monte Banana Co. (Fla. Cir. Ct. 1983): 444.
- Chaffin v. Jackson (Cal. Super. Ct. 1982): 114.
- Chalkley, Williams v., (Va. Cir. Ct. 1983): 379.
- Chamberlain v. Bissell, Inc. (W.D. Mich. 1982): 17-18.
- Chamberlain, City of, Byre v., (S.D. Cir. Ct. 1982): 210-11.
- Champ Corp., Reno v., (Cal. Super. Ct. 1983): 227.
- Champion International Corp., Vana v., (Ohio Ct. C. P. 1983): 279.
- Chapman, Krakaur v., (N.Y. Sup. Ct. 1982): 13.
- Charfoos, Murray v., (E.D. Mich. 1982): 17.
- Charles A. Smith Well Drilling & Water Systems, Sheppard v., 463 N.Y.S.2d 546 (Sup.Ct. App.Div. 1983): 467.
- Charles E. Smith, Inc., Peterson v., (Va. Cir. Ct. 1983): 274-75.
- Chase, Hall v., (Ala. Cir. Ct. 1982): 377.
- Chase, Pinkham v., (Conn. Super. Ct. 1982): 27.
- Chesebro-Whitman, Pasquarelli v., (N.J. Super. Ct. 1983): 425.
- Chevron Chemical Co., Ferebee, 552 F. Supp. 1293 (D. D.C. 1982): 130.
- Chevron USA, Inc., Gambrell v., (Cal. Super. Ct. 1982): 176.
- Chiasson v. Sentry Ins. Co., 25 ATLA L. Rep. 76 (1982): update at 286.
- Chicago, City of, Evans v., 689 F.2d 1286 (7th Cir. 1982): 19.
- Chicago Firefighters Union, Local 2, Rivard v., (Ill. Cir. Ct. 1983): 292-94.
- Chicago Transit Auth., Gordon v., (Ill. Cir. Ct. 1983): 454.
- Chicago, Rock Island & Pacific R.R. Co., Hanson v., (Minn. Dist. Ct. 1982): 43.
- Chmielewski v. Carlson (Wis. Cir. Ct. 1983): 306.
- Chris-Craft Corp., Howard v., (E.D. Tex. 1982): 82.
- Chrysler Corp., Davie v., (M.D. Fla. 1982): 82.
- Cid v. Bombardier, Inc. (N.Y. Sup. Ct. 1983): 469.
- Cinnaminson Township Bd. of Ed. v. U.S. Gypsum Co., 552 F.Supp. 855 (D.N.J. 1982): 424-25.
- Cissel v. Williams (Md. Cir. Ct. 1982): 205-06.
- Civitico v. Univ. of New Hampshire (D. N.H. 1982): 163.
- Clark v. Singer, 298 S.E.2d 484 (Ga. 1982): 234.
- Clark v. Willow Apartments (Tex. Dist. Ct. 1983): 463.
- Clark Equip. Co., Foley v., 25 ATLA L.Rep. 52-53, 276-77 (1982): update at 142.
- Clark Equip. Co., Kempa v., (Minn. Dist. Ct. 1982): 131.
- Clark's Delivery, Inc. v. Wits, Inc. (Cal. Super. Ct. 1983): 451-52.
- Claxton v. United States (W.D. Tex. 1983): 460.
- Clayton v. Ostmann (Mo. Cir. Ct. 1982): 16.
- Clayton v. Volkswagen of America, Inc. (Cal. Super. 1983): 211-12.
- Cleveland Clinic Foundation, Dickan v., (Ohio C. P. 1982): 185.
- Cleveland Electric Illuminating Co., Cotterman v., (Ohio C. P. 1982): 189-90.
- Clipp v. Weaver, 439 N.E.2d 1189 (Ind. App. 1982): 110.
- Clites v. State of Iowa, 24 ATLA L. Rep. 43-44 (1981): update at 46.
- Cloroben Chemical Corp. v. Comegys, 464 A.2d 887 (Del. 1983): 371-72.
- Clorox Corp., Carr v., (Mich. Cir. Ct. 1982): 36-37.
- Cloud, Hennigan v., (Tex. Dist. Ct. 1983): 473.
- Coachmen Indus., Inc., Sacra v., (Md. Cir. Ct. 1983): 276.
- Coburn v. Browning Arms Co., 565 F.Supp. 742 (W.D. La. 1983): 325.
- Coca-Cola Bottling Co., Spewock v., (Fla. Cir. Ct. 1983): 278.
- Cockrum v. Baumgartner, 25 ATLA L. Rep. 164 (1982): update at 238.
- Coghlan v. Illinois Gulf R.R. (Ill. Cir. Ct. 1982): 43.
- Cogliati v. Ecco High Frequency Corp., 456 A.2d 524 (N.J. 1983): 464.
- Cohen v. McDonnell Douglas Corp., 25 ATLA L. Rep. 442-44 (1982): 334.
- Coleman Co., Laney v., (E.D. Mo. 1983): 374.
- Collins v. Weiss Memorial Hosp. (Ill. Cir. Ct. 1983): 428.
- Collins v. Miller (Tex. Dist. Ct. 1982): 89.
- Collins, Jiji v., (N.Y. Sup. Ct. 1982): 112-13.
- Colt Indus., Inc., Gootee v., 712 F.2d 1057 (6th Cir. 1983): 372-73.
- Columbia Hosp. for Women, Erby v., (D.D.C. 1983): 282-83.
- Columbo v. Trans World Internatl. (Cal. Super. Ct. 1982): 37.
- Comegys, Cloroben Chemical Corp. v., 464 A.2d 887 (Del. 1983): 371-72.
- Comm. Hosp. of the Palm Beaches, Inc., Thomas v., (Fla. Cir. Ct. 1982): 231.
- Command Marine, Inc., Walch v., (S.D. Tex. 1983): 445.
- Commercial Union Ins. Co. v. State Farm Fire & Cas. Co., 546 F. Supp. 543 (D. Colo. 1982): 76.
- Commissioner of Transp., D'Arcy v., (Conn. Super. 1982): 22-27.
- Committee of Bar Examiners, Martin B. v., 661 P.2d 160 (Cal. 1983): 206.
- Conrad, Kachmann v., (D.S.C. 1983): 445.
- Consolidated Bathurst Ltd., Mallard v., (S.D. Fla. 1982): 62.
- Consolidated Edison Co., Parente v., (N.Y. Sup. Ct. 1983): 306.
- Consolidated Freightways, Smart v., (Cal. Super. Ct. 1983): 306-07.
- Consolidated Rail Corp., Blazer v., (Ill. Cir. Ct. 1982): 189.
- Consolidated Rail Corp., Erculiani v., (Ill. Cir. Ct. 1982): 236-37.
- Consolidated Rail Corp., Falbo v., (Ill. Cir. Ct. 1982): 285.
- Consolidated Rail Corp., Germain v., (Ill. Cir. Ct. 1983): 381.
- Consolidated Rail Corp., Kirby v., (Ill. Cir. Ct. 1982): 236.
- Consolidated Rail Corp., Muldoon v., (Pa. Ct. C. P. 1983): 380.
- Consolidated Rail Corp., Pinkard v., (Ill. Cir. Ct. 1982): 140.
- Consolidated Rail Corp., Rhodes v., (W.D.N.Y. 1983): 332, update at 382.
- Consolidated Rail Corp., Ullio v., (Pa. Ct. C. P. 1983): 476.

- Consolidated Rail Corp., *Wild v.*, (Ill. Cir. Ct. 1982): 44.  
 Consolidated Rail Corp., *Zemites v.*, (Ill. Cir. Ct. 1982): 91.  
 Consumers Union of U.S., Inc. v. Virginia State Bar, 24 ATLA L. Rep. 155-56 (1981): update at 46.  
 Conti Carriers & Terminals, Inc., *Robert v.*, (E.D. La. 1982): 205.  
 Continental Motel Brokers, Inc., v. Blankenship (W.D.Tenn. 1983): 310-15.  
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 Cornier v. Bell Helmet Corp. (N.Y. Sup. Ct. 1982): 83.  
 Corriea v. Firestone Tire & Rubber Co., 446 N.E.2d 1033 (Mass. 1983): 153-56.  
 Corsetti v. Deal Products, Inc. (Mass. Super. Ct. 1983): 425.  
 Corsetti v. Stone Co. (Mass. Super. Ct. 1983): 453.  
 Costello, Slattery v., (D. D.C. 1983): 452.  
 Cotterman v. Cleveland Electric Illuminating Co. (Ohio Ct. C. P. 1982): 189-90.  
 Coulter, Piper Aircraft Corp. v., 426 So.2d 1108 (Fla. App. 4 Dist. 1983): 260.  
 Council v. Moore (W.D. Ark. 1982): 66.  
 Cover v. General Motors Corp., 24 ATLA L. Rep. 277 (1981): update at 238.  
 Covert Hills, Inc., Arrow-Hart, Inc. v., (E.D. Ky. 1982): 19.  
 Cowan v. Ford Motor Co., 694 F.2d 104 (5th Cir. 1982): 80.  
 Cowman v. Hornaday, 329 N.W.2d 422 (Iowa 1983): 283.  
 Cox v. Atlas Van Lines (Tex. Dist. Ct. 1983): 447.  
 Cox, Prem v., 443 N.E.2d 511 (Ohio 1982): 317.  
 Craig v. Walley (Okla. Ct. App. 1983): 402.  
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 Crenshaw, Jenkins v., (Wyo. Dist. Ct. 1982): 41.  
 Crino v. Blue Cross & Blue Shield of Connecticut, Inc. (D. Conn. 1981): 173-74.  
 Crislip v. City of Fort Pierce (Fla. Cir. Ct. 1982): 123.  
 Croce, Mulshenock v., (R.I. Super. Ct. 1982): 139.  
 Cronkright v. United States (C.D. Cal. 1982): 460.  
 Crossman, Byrd v., (Mass. Super. Ct. 1983): 323.  
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 Crumlich v. Lower Paxton Township (Pa. Ct. C. P. 1982): 172.  
 Crystal v. Hubbard, 324 N.W.2d 869 (Mich. 1982): 268.  
 Crystal Management, Strubing v., (N.Y. Sup. Ct. 1982): 77-78.  
 Culver v. Slater Boat Co., 688 F.2d 280 (5th Cir. 1982): 62-63.  
 Cummings v. Drs. Goldman, Glucroft & Unger, P.A. (Fla. Cir. Ct. 1982): 89.  
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 Davison v. Piney Narrows Marine, Inc. (Md. Cir. Ct. 1982): 267.  
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 DeAugustinis v. Lane (Fla. Cir. Ct. 1983): 460-61.  
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 DeMoss v. Billy Wurzlows Flying Service, Inc. (Miss. Dist. Ct. 1983): 404.  
 DeVries v. St. Paul Fire & Marine Ins. Co. (D. N.H. 1982): 124.  
 Deal Products, Inc., Corsetti v., (Mass. Super. Ct. 1983): 425.  
 Dean Witter Reynolds, Inc., Feiereisen v., (W.D. Wis. 1983): 354.  
 Dean Witter Reynolds, Inc., Verola v., (Fla. Cir. Ct. 1983): 462.  
 Deere & Co., Carson v., (M.D. Pa. 1983): 424.  
 Del Monte Banana Co., Chacon v., (Fla. Cir. Ct. 1983): 444.  
 Del Monte Banana Co., Mayen-Jacome v., (Fla. Cir. 1982): 445.  
 Delta Exploration Co., Baldwin v., (S.D. Miss. 1983): 462-63.  
 Delta Gas, Inc., O'Brien v., 426 So.2d 262 (La. App. 1983): 277.  
 Delta Steamship Lines, Inc., Casses v., (E.D.Tx. 1983): 348-49.  
 Denson v. Karlin (Fla. Cir. Ct. 1982): 42-43.  
 Dep't of Health & Social Services, Heubschen v., 25 ATLA L. Rep. 403 (1982): update at 478.  
 Dep't of State Police, Barnes v., (Mich. Cir. Ct. 1982): 209-10.  
 Desa Indus., Inc., Garrett v., 705 F.2d 721 (4th Cir. 1983): 277-78.  
 Desert Hosp., Urquidez v., (Cal. Super. Ct. 1983): 472-73.  
 Desouches v. Anderson's Tow Services (Cal. Super. Ct. 1982): 208.  
 Detroit Gen. Hosp., Sanders v., (Mich. Cir. Ct. 1982): 137.  
 Detroit, City of, Dickens v., (Mich. Cir. Ct. 1982): 76-77.  
 Detroit, City of, Franklin v., (Mich. Dist. Ct. 1982): 459.  
 DiMarzo v. American Mutual Ins. Co., 449 N.E.2d 1189 (Mass. 1983): 202-04.  
 DiMeglio v. Forest Electric Corp. (N.Y. Sup. Ct. 1982): 78.  
 Diaz, Kelly v., (Md. Cir. Ct. 1983): 474.  
 Dickan v. Cleveland Clinic Foundation (Ohio Ct. C. P. 1982): 185.  
 Dickens v. City of Detroit (Mich. Cir. Ct. 1982): 76-77.  
 Dietrick, Riccobono v., (D. N.J. 1983): 331.  
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 Dinsmore v. First Metals Bank & Trust Co. (Mont. Dist. Ct. 1983): 262.  
 District Court, Wright v., 661 P.2d 1167 (Colo. 1983): 213.  
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 District of Columbia, McCormick v., (D.D.C. 1982): 210.  
 District of Columbia, Offutt v., (D.C. Super. Ct. 1983): 270.  
 Dixie Carriers, Inc., Alonzo v., (S.D. Ala. 1982): 109.  
 Dixon, Joray v., (W.D. Okla. 1982): 64.  
 D.L. v. Huebner, 329 N.W.2d 890 (Wis. 1983): 178.  
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 Dodrill v. Little Rock Newspapers, Inc. (Ark. Cir. Ct. 1982): 322.  
 Dodson v. Henderson Properties, Inc. (Okla. Dist. Ct. 1983): 418.  
 Doe v. Evans (Mich. Cir. Ct. 1983): 414.  
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 Doe v. Selective Service System, 557 F. Supp. 937 (D. Minn. 1983): 165.  
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 Donges, Hatfield v., (Tex. Dist. Ct. 1983): 209.  
 Doud, Mazzilli v., (Fla. Cir. Ct. 1983): 415.  
 Doughty v. City of Ft. Lauderdale (E.D. Fla. 1982): 163-64.  
 Dow Chemical Co., Perez v., (Cal. Super. Ct. 1983): 375, update at 478.  
 Dow Chemical Corp., Irizarry v., (N.Y. Sup. Ct. 1982): 86.  
 Dow Corning Corp., Klein v., 661 F.2d 998 (2nd Cir. 1981): 11.  
 Dowdy v. American Dredging Co. (M.D. Fla. 1983): 305.  
 Downey v. Downey (Cal. Super. Ct. 1983): 367.  
 Downey, Downey v., (Cal. Super. Ct. 1983): 367.  
 Dozor, Friedman v., 312 N.W.2d 585 (Mich. 1981): 9.  
 Drain v. Sirloin Stockade (Okla. Cir. Ct. 1982): 67.  
 Dravo Corp., Athey v., Ohio 1982 (settled without filing): 63.  
 Dresko v. Parma Comm. Gen. Hosp. (Ohio Ct. C. P. 1982): 38.

## D

- D'Arcy v. Commissioner of Transp. (Conn. Super. Ct. 1982): 22-27.  
 Dade County Public Health Trust, Mack v., (Fla. Cir. 1982): 136.  
 Daily v. Romer (D. Colo. 1982): 69.  
 Dalton v. Toyota Motor Sales, Inc., F.2d (5th Cir. 1983): 225.  
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 Danilla v. Botti (Ohio Ct. C. P. 1983): 281.  
 Daskalon v. North Ridge Gen. Hosp. (Fla. Cir. Ct. 1982): 185.  
 Davidov v. Averbach (Fla. Cir. Ct. 1982): 235.  
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 Davis v. Washington Univ. (Mo. Cir. Ct. 1983): 231.  
 Davis Electrical Constructors, Inc., Foley v., (D. Me. 1983): 353.

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Druen v. United States (S.D. Fla. 1983): 228-29.

Duke Power Co., Allen v., (N.C. Super. Ct. 1983): 285-86.

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Dumas, Garrido v., (Ohio Ct. C. P. 1982): 116.

Dun & Bradstreet, Brockmeyer v., 335 N.W.2d 834 (Wis. 1983): 296-97.

Dundee, City of, Henson v., 682 F.2d 897 (11th Cir. 1982): 115.

Dunham v. Great Atlantic & Pacific Tea Co. (Mich. Cir. Ct. 1982): 224.

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Dunlop, Ltd., Mercurio v., (N.Y. Sup. Ct. 1982): 37.

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Dunn v. Washington Hosp. Center (D.C. Super. Ct. 1983): 232.

Dunne v. Philadelphia Gas Works (Pa. Ct. C. P. 1983): 8.

E.I. DuPont de Nemours, Jenkins v., (E.D. La. 1982): 71.

Dupont v. White Constr. Co., 24 ATLA L. Rep. 317 (1981): update at 334.

Dura Corp., Harned v., 665 P.2d 5 (Alaska 1983): 324.

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Dzubinski v. Municipal Auth. (Pa. Ct. C. P. 1983): 268-69.

## E

Eagle v. Appalachian Power Co. (W.Va. Cir. Ct. 1982): 381.

Eagle Family Discount Store, Storey v., (Fla. Cir. Ct. 1983): 222.

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Edenfield v. United States (M.D. Fla. 1983): 459.

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Edgington v. Grain Processing Corp. (Iowa Dist. Ct. 1983): 175-76.

Edwards v. General Motors Corp. (Ala. Cir. Ct. 1983): 392-95.

Ehlert v. Five Points Realty (N.J. Super. Ct. 1982): 175.

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Eli Lilly & Co., McElhaney v., 564 F.Supp. 265 (D.S.D. 1983): 372.

Eli Lilly & Co., Watson v., (D.D.C. 1983): 374.

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Elion Concrete, Inc., Kuhl v., (Md. Workmen's Comp. Comm. 1982): 317.

Elliot v. Willis, 442 N.E.2d 163 (Ill. 1982): 268.

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Elston Bank & Trust Co. v. Wilhelm Constr. Co. (Ind. Super. Ct. 1982): 31-32.

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Engelhardt v. Northeastern Hosp. (Pa. Ct. C. P. 1983): 329.

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Erculiani v. Consolidated Rail Corp. (Ill. Cir. Ct. 1982): 236-37.

Erickson v. The Fire Place, Ltd. (Wis. Cir. Ct. 1982): 176.

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Eriksson Eng'g, Enghausen Mfg. Co. v., 451 N.E.2d 1046 (Ohio 1983): 290-91.

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Evans, Smith v., (Pa. Ct. C. P. 1982): 112.

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Farley Enterprises, Inc., Morris v., 661 P.2d 167 (Alaska. 1983): 402.

Farrari Officine Meccaniche Spa., McIntyre v., (Cal. Super. Ct. 1983): 468.

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Fedders Corp., Czoch v., (N.J. Super. Ct. 1983): 278.

Federated Mutual Ins. Co., Welker v., (Wis. Cir. Ct. 1983): 306.

Fedt v. Oak Lawn Lodge, Inc. (Ill. Cir. Ct. 1983): 413-14.

Feiereisen v. Dean Witter Reynolds, Inc. (W.D. Wis. 1983): 354.

Feld v. Merriam & Wayne, Inc., 24 ATLA L. Rep. 80 (1981): update at 334.

Felts v. Masonry Trust Fund (D. Ore. 1982): 68.

Fenton v. Idy Corp. (Fla. Cir. Ct. 1983): 463.

Ferebee v. Chevron Chemical Co., 552 F. Supp. 1293 (D. D.C. 1982): 130.

Fidelity & Cas. Co. of New York, Hammond v., 419 So.2d 829 (La. 1982): 22.

Field v. Sterling Arms Corp. (W.D. Tex. 1982): 82-83.

Figuerola v. Ayres Corp. (S.D. Fla. 1983): 352.

Filardi v. Salter (N.Y. Sup. Ct. 1983): 232.

Filmore Corp., Mirza v., 456 A.2d 518 (N.J. 1983): 370.

Fincher Investigative Agency, Inc., Scott v., (Fla. Cir. 1982): 172.

Fireman's Fund Ins. Co., Kardos v., (Cal. Super. Ct. 1982): 174.

Firestone Tire & Rubber Co. v. Cannon, 452 A.2d 192 (Md. Ct. Spec. App. 1982): 129-30.

Firestone Tire & Rubber Co., Corriea v., 446 N.E.2d 1033 (Mass. 1983): 153-56.

Firestone Tire & Rubber Co., Hale v., (W.D. Mo. 1983): 374-75.

First Alabama Bank, Parsons Steel v., (Ala. Cir. Ct. 1983): 406-11.

First Federal Savings & Loan Story v., (Fla. Cir. Ct. 1983): 352-53.

First Marine Bank, Weaver v., (Fla. Cir. Ct. 1983): 305.

First Metals Bank & Trust Co., Dinsmore v., (Mont. Dist. Ct. 1983): 262.

First Nat'l Ins. Co. v. Perala, 648 P.2d 472 (Wash. App. 1982): 125.

Five Points Realty, Ehler v., (N.J. Super. Ct. 1982): 175.

Flanagan v. Nationwide Ins. Co., N.J. Super. 282 (1980): 271-72.

Flannery v. United States, 297 S.E.2d 433 (W.Va. 1982): 7-11.

Flatley Realty Investors, Johnston v., (N.H. Super. Ct. 1983): 321.

Floeter v. Terminix of Austin, Inc. (Tex. Dist. Ct. 1982): 77.

Flood v. South Nassau Comm. Hosp. (N.Y. Sup. Ct. 1982): 41.

Flores v. Carolina Enterprises, Inc. (Cal. Super. Ct. 1982): 228.

Florida East Coast Ry. Co., Malloy v., (Fla. Cir. 1982): 188-89.

Florida Power & Light Co., Philhower v., (Fla. Cir. Ct. 1982): 141.

Flournoy v. Wenham Transp. Inc. (Ill. Cir. Ct. 1982): 65.

- Fockler, Gearing v., (Wash. Super. Ct. 1983): 356.  
 Foley v. Clark Equip. Co., 25 ATLA L.Rep. 52-53, 276-77 (1982): update at 142.  
 Foley v. Davis Electrical Constructors, Inc. (D. Me. 1983): 353.  
 Fols v. Getty Oil Co. (E.D. Pa. 1983): 413.  
 Foltz v. Burlington Northern R.R. (Mo. Cir. Ct. 1983): 380.  
 Ford Motor Co. v. Bartholomew, 297 S.E.2d 675 (Va. 1982): 79.  
 Ford Motor Co., Carroll Motors, Inc. v., (D. S.C. 1983): 451.  
 Ford Motor Co., Cowan v., 694 F.2d 104 (5th Cir. 1982): 80.  
 Ford Motor Co., Elias, 714 F.2d 109 (1st Cir. 1983): 300-302.  
 Ford Motor Co., Giordano v., 299 S.E.2d 897 (Ga. App. 1983): 177.  
 Ford Motor Co., Hasson v., 650 P.2d 1171 (Cal. 1982): 33.  
 Ford Motor Co., Homansky v., (Ohio Ct. C. P. 1982): 131.  
 Ford Motor Co., Mickler v., (Fla. Cir. Ct. 1983): 131.  
 Ford Motor Co., Patterson v., (W.D. Tex. 1983): 426.  
 Ford Motor Co., Stubblefield v., (Ga. Super. Ct. 1982): 82.  
 Forest Electric Corp., DiMeglio v., (N.Y. Sup. Ct. 1982): 78.  
 Fort Pierce, City of, Crislip v., (Fla. Cir. Ct. 1982): 123.  
 Fort Pierce, City of, Price v., (Fla. Cir. Ct. 1983): 260-61.  
 Fort Wayne Pool Equip., Inc., Myette v., (Vt. Super. Ct. 1982): 37.  
 Fowler, Gaberino v., (W.D. Okla. 1982): 70.  
 Foy v. Greenblott, 190 Cal. Rptr. 84 (App. 1983): 331.  
 Franchetti v. Intercolor Automation, Inc., 523 F. Supp. 454 (D. Del. 1981): 104-06.  
 Franchini, Robinson v., (Conn. Super. Ct. 1982): 118.  
 Franklin v. City of Detroit (Mich. Dist. Ct. 1982): 459.  
 Frankston, Heller, 464 A.2d 581 Pa. Cmwlth. Ct. 1983): 349.  
 Fravel v. Burlington Northern R.R. Co. (Mo. Cir. Ct. 1982): 236.  
 Frazee v. Hoag Mem. Hosp. (Cal. Super. Ct. 1982): 40-41.  
 Frazier v. Metropolitan Life Ins. Co. (Cal. Super. Ct. 1983): 146-49.  
 Frazier v. Paccar, Inc. (S.D. Miss. 1982): 132.  
 Fred v. Scheininger (N.J. Super. Ct. 1982): 137.  
 Frederick, Precrout v., (Mass. Super. Ct. 1983): 398-99.  
 Freedom Drug Store, Mancusi v., (Mass. Super. Ct. 1982): 166.  
 French v. Senior Road Tower Group (Tex. Dist. Ct. 1982): 164.  
 French Hosp., Lau v., (Cal. Super. Ct. 1982): 184.  
 Friedman v. Dozore, 312 N.W.2d 585 (Mich. 1981): 9.  
 Froelich Transp. Co., Stewart v., (S.D.N.Y. 1982): 160.  
 Ft. Lauderdale, City of, Doughty v., (E.D. Fla. 1982): 163-64.  
 Ft. Wayne Public Transp. Corp., Joder v., (Ind. Cir. Ct. 1982): 160.  
 Fuhs v. Barter (D. D.C. 1983): 377.  
 Fuller v. Volkswagen of America (Cal. Super. Ct. 1982): 227.
- G**
- Gaberino v. Fowler (W.D. Okla. 1982): 70.  
 Gaines v. Monsanto Co., 655 S.W.2d 568 (Mo. App. 1983): 413.  
 Gaines Services Leasing, Turk v., (N.Y. Sup. Ct. 1983): 258-59.  
 Galian v. United Illuminating Co. (Conn. Super. Ct. 1983): 396.  
 Gallman v. American Tool & Machine Co. (N.J. Super. Ct. 1982): 453.  
 Galvin v. Manhattan & Bronx Surface Trans. Oper. Auth. (N.Y. Sup. Ct. 1982): 160.  
 Gambrell v. Chevron USA, Inc. (Cal. Super. Ct. 1982): 176.  
 Gansen, Roberson v., (La. Dist. Ct. 1982): 161.  
 Garcia v. Sorial (N.J. Super. Ct. 1982): 90.  
 Garfield Heights, City of, Luton v., (Ohio Ct. C. P. 1982): 172.  
 Garrett v. Desa Indus., 705 F.2d 721 (4th Cir. 1983): 277-78.  
 Garrett v. Holiday Inns, Inc., 447 N.E.2d 717 (N.Y. 1983): 358.  
 Garrido v. Dumas (Ohio Ct. C. P. 1982): 116.  
 Garris v. Rowland, 678 F.2d 1264 (5th Cir. 1982): 114-15.  
 Garvey v. State Farm Fire & Cas. Co. (Cal. Super. Ct. 1982): 29.  
 Gates v. Life of Montana Ins. Co., 668 P.2d 213 (Mont. 1983): 294-96.  
 Gearing v. Fockler (Wash. Super. Ct. 1983): 356.  
 Gecker v. City of New York (N.Y. Sup. Ct. 1982): 27.  
 Geer, Morris v., (Colo. Dist. Ct. 1983): 280.  
 Geftman, Seedorf v., (N.J. Super. Ct. 1982): 323.  
 Genao v. Long Island Lighting Co. (N.Y. Sup. Ct. 1983): 357.  
 General Denko, Avery v., (D. S.C. 1983): 181.  
 General Electric Co., Kozlowski v., (Ill. Cir. Ct. 1983): 279.  
 General Electric Credit Auto Lease, Inc., Ratner v., (N.Y. Sup. Ct. 1983): 402-03.  
 General Motors Corp., Balstrusaitis v., (Cal. Super. 1983): 412.  
 General Motors Corp., Birchenough v., (E.D. Tex. 1983): 352.  
 General Motors Corp., Bogner v., 459 N.Y.S.2d 679 (Civ. Ct. 1982): 315.  
 General Motors Corp., Browning v., (Mich. Cir. Ct. 1983): 449.  
 General Motors Corp., Cover v., 24 ATLA L. Rep. 277 (1981): update at 238.  
 General Motors Corp., Edwards v., (Ala. Cir. Ct. 1983): 392-95.  
 General Motors Corp., Hoyle v., (Fla. Cir. Ct. 1983): 375.  
 General Motors Corp., Kappler v., (Cal. Super. Ct. 1982): 227.  
 General Motors Corp., Shipp v., (S.D. Tex. 1983): 278.  
 General Motors Corp., Sours, 717 F.2d 1511 (6th Cir. 1983): 421.  
 G.E.O. Seismic Services, Inc., Campbell v., (E.D.La. 1983): 304.  
 Georgia Kraft Co., Bishop v., (Ga. Super. Ct. 1982): 125-26.  
 Geraine v. Long Island R.R. Co. (E.D.N.Y. 1982): 140.  
 Gerdman v. Roen Salvage (Wis. Cir. Ct. 1982): 214.  
 Germain v. Consolidated Rail Corp. (Ill. Cir. Ct. 1983): 381.  
 Getty Oil Co., Fols v., (E.D. Pa. 1983): 413.  
 Getty Oil Co., Gore v., (D. Wyo. 1982): 72.  
 Gholson v. Avco Lycoming (W.D. Mo. 1982): 114.  
 Gibbons, Nat'l Steel Service Center, Inc. v., 693 F.2d 817 (8th Cir. 1982): 285.  
 Gigax v. Ralston Purina Co., 186 Cal. Rptr. 395 (App. 1982): 80.  
 Gilbert, Rector v., (Wis. Cir. Ct. 1982): 87.  
 Gillespie v. Hyatt (Mo. Cir. Ct. 1983): 275.  
 Gillette v. Hancock (Fla. Cir. Ct. 1983): 258.  
 Gilmore, Wyatt v., 25 ATLA L. Rep. 452-53 (1982): update at 46.  
 Giordano v. Ford Motor Co., 299 S.E.2d 897 (Ga. App. 1983): 177.  
 Girls Scouts of Chicago, Amato v., (Ill. Cir. Ct. 1982): 78.  
 Gloster v. School Bd. of Dade County (Fla. Cir. Ct. 1983): 319.  
 Godfrey v. Guthrie (Tex. Dist. Ct. 1983): 310.  
 Goetzman v. Wichern, 324 N.W.2d 742 (Iowa 1982): 21.  
 Gold Seal, Bersch v., (E.D.N.Y. 1983): 181.  
 Golden, Mersnik v., (Ill. Cir. Ct. 1983): 474.  
 Goldenberg, Hornick v., (Fla. Cir. Ct. 1982): 39.  
 Goldenhersh, Lowrie v., 716 F.2d 401 (7th Cir. 1983): 446.  
 Gomez v. Brookdale Hosp. (N.Y. Sup. Ct. 1982): 136.  
 Gomez v. Prieto (Tex. Dist. Ct. 1983): 378.  
 Goncalves v. Regent Intern. Hotels, Ltd., 447 N.E.2d 693 (N.Y. 1983): 464-65.  
 Gonpere Corp., Rebull v., (Fla. Cir. Ct. 1982): 221-22.  
 Gonzalez-Pita v. Miami Autorico, Inc. (Fla. Cir. Ct. 1982): 70.  
 Goode v. Walt Disney World Co., 425 So.2d 1151 (Fla. App. 1982): 275.  
 Goode, Inc., Eichel v., (N.M. Dist. Ct. 1983): 425.  
 B.F. Goodrich Co., Wampler v., (E.D. Ark. 1983): 181.  
 Goodyear of Canada, Inc., Butler v., (S.D. Ohio 1983): 426.  
 Gootee v. Colt Indus. 712 F.2d 1057 (6th Cir. 1983): 372-73.  
 Gordon v. Chicago Transit Authority (Ill. Cir. Ct. 1983): 454.  
 Gordon v. Nixon (Tenn. Cir. Ct. 1982): 31.  
 Gordon v. Pansch (Wis. Patients Comp. Panel 1982): 41.  
 Gordon, Yukon Equip., v., 660 P.2d, 428 (Alaska 1983): 225-26.  
 Gore v. Getty Oil Co. (D. Wyo. 1982): 72.  
 Gore v. Surgiyek Medical Eng'g Corp. (E.D. Pa. 1983): 188.  
 Government Employees Ins. Co., Habib v., (E.D. N.Y. 1983): 415.  
 Graham v. Liberty Mutual Ins. Co. (Fla. Cir. Ct. 1982): 208.  
 Graham v. Pima County (Ariz. Super. Ct. 1983): 284.  
 Grain Processing Corp., Edgington v., (Iowa Dist. 1983): 175-76.  
 Gram v. Bank of Louisiana, 691 F.2d 728 (5th Cir. 1982): 15.  
 Gray v. Exotic Plant Shoppe, Ltd. (Ill. Cir. Ct. 1983): 350.  
 Gray Supply Co., Thompson v., (Ark. Cir. Ct. 1982): 66.  
 Grayson, Liberty Nat'l Bank & Trust Co. v., (Ky. Cir. Ct. 1982): 28.  
 Great Atlantic & Pacific Tea Co., Dunham v., (Mich. Cir. Ct. 1982): 224.  
 Great Lakes Dredge & Dock Co., Ebanks v., 688 F.2d 716 (11th



- Cir. 1982): 109.  
 Great Western Savings & Loan Ass'n., Stepp v., (Cal. Super. Ct. 1982): 68.  
 Great Western United, Young v., (Cal. Super. Ct. 1983): 354.  
 Greater Paterson Gen. Hosp., Nichols v., (N.J. Super. 1983): 378.  
 Green v. J.C. Penny Auto Ins. Co. (S.D. Ill. 1982): 272.  
 Green, Bailey v., (W.D. Okla. 1982): 235.  
 Green, Ericson v., (N.Y. Sup. Ct. 1982): 139.  
 Greenblott, Foy v., 190 Cal. Rptr. 84 (App. 1983): 331.  
 Greenwich Hosp. Ass'n., Logan v., 465 A.2d 294 (1983): 386-89.  
 Gregor v. Kleiser, 443 N.E.2d 1162 (Ill. App. 1982): 223-24.  
 Grider v. The Western Co. of North America, 24 ATLA L. Rep. 165, 25 ATLA L. Rep. 286 (1982): update at 286.  
 Groendyke Transport, Inc., Ponder v., (La. Dist. Ct. 1983): 306.  
 Groff v. Ross Trucking Co. (E.D. Pa. 1982): 113.  
 Groneman v. California Federal Savings & Loan Ass'n (Cal. Super. Ct. 1983): 461.  
 Gros v. Archdiocese of New Orleans (E.D. La. 1983): 308-09.  
 Grove Mfg. Co., Mabe v., (Ind. Cir. Ct. 1983): 424.  
 Growers Service & Equip. Co., Kincaid v., (Cal. Super. 1982): 259.  
 Growth Realities, Inc., Vitanza v., 457 N.Y.S.2d 545 (App. Div. 1983): 222-23.  
 Guardian Property Management Corp., Walker v., (Mich. Cir. Ct. 1983): 369.  
 Guest v. Executive Indus., Inc. (N.D. Miss. 1983): 211.  
 Guevara, Sparks v., (Tex. Dist. Ct. 1983): 332-333.  
 Guillory v. Eagle Trucking Co. (W.D. La. 1983): 447.  
 Gulf South Beverage, Inc., Robertson v., 421 So.2d 877 (La. 1982): 79.  
 Guthrie, Godfrey v., (Tex. Dist. Ct. 1983): 310.  
 Gym Master, Whitlock v., (Colo. Dist. Ct. 1982): 32.
- H**
- Haas v. Remington Arms Co. (Tex. Dist. Ct. 1982): 36.  
 Habib v. Government Employees Ins. Co. (E.D.N.Y. 1983): 415.  
 Hackney, Sutlive v., 297 S.E.2d 515 (Ga. App. 1982): 230.  
 Hale v. Emerson Electric Co. (N.D. Ohio 1982): 131.  
 Hale v. Firestone Tire & Rubber Co. (W.D. Mo. 1983): 374-75.  
 Hall v. Behan (D. N.J. 1982): 118-23.  
 Hall v. Chase (Ala. Cir. Ct. 1982): 377.  
 Hall v. Hydraulic Pumps, Inc. (Miss. Cir. Ct. 1982): 118.  
 Halliburton Co., Williams v., (Tex. Dist. Ct. 1982): 13.  
 Hamilton v. Albright (Ore. Cir. Ct. 1982): 65.  
 Hamilton v. County of Los Angeles (Cal. Super. 1983): 255-56.  
 R.H. Hammond Co., Inc., Arias v., (Fla. Cir. Ct. 1982): 65.  
 Hammond v. Fidelity & Cas. Co. of New York, 419 So.2d 829 (La. 1982): 22.  
 Hammond v. International Harvester Co., 691 F.2d 646 (3rd Cir. 1982): 35.  
 Hammond v. North American Asbestos Corp., 435 N.E.2d 540 (Ill. 1983): 323-24.  
 Hampton v. Missouri Pacific R.R. (Mo. Cir. Ct. 1982): 140-41.  
 Hancock, Gillette v., (Fla. Cir. Ct. 1983): 258.  
 Hankins, Hutchens v., (N.C. Ct. App. 1983): 297.  
 Hanks, Paugh, 451 N.E.2d 759 (Ohio 1983): 302-03.  
 Hannaman v. Stevens Well Drilling Co. (Minn. Dist. Ct. 1983): 317.  
 Hanover Ins. Co. of North America, Valley Title Co. v., (Cal. Super. Ct. 1982): 364.  
 Hansen v. A.H. Robins Co., Inc., 335 N.W.2d 578 (Wis. 1983): 371.  
 Hanson v. Chicago, Rock Island & Pacific R.R. Co. (Minn. Dist. Ct. 1982): 43.  
 Hanson v. Toyota Motor Co., Ltd. (Ill. Cir. Ct. 1983): 375.  
 Harbeson v. Parke-Davis, Inc., 656 P.2d 483 (Wash. 1983): 106-08.  
 Harleysville Mutual Ins. Co., Hill v., (N.J. Super. Ct. 1982): 366.  
 Harned v. Dura Corp., 665 P.2d 5 (Alaska 1983): 324.  
 Harnsen v. Smith, 23 ATLA L. Rep. 20 (1980): update at 478.  
 Harper v. Liggett Group, Inc. (La. Dist. Ct. 1983): 327.  
 Harper v. Zapata Offshore Co. (E.D. La. 1983): 400.  
 Harris v. Aluminum Co. of America, 550 F.Supp. 1024 (W.D. Va. 1982): 157.  
 Hartigan v. The Milwaukee Road (Wis. Cir. Ct. 1983): 349.  
 Harwig v. Papp (Ill. Cir. Ct. 1983): 222.  
 Hasbrook, Crawford v., (Wash. Super. Ct. 1982): 257.  
 Hassler v. Bell (Pa. Ct. C. P. 1983): 448.  
 Hasson v. Ford Motor Co., 650 P.2d 1171 (Cal. 1982): 33.  
 Hatfield v. Donges (Tex. Dist. Ct. 1983): 209.  
 Hatley v. Slush Puppie-Alamo City, Inc. (Tex. Dist. Ct. 1983): 447.  
 Haupt Contract Carriers, Inc., Bailey v., (E.D. N.C. 1982): 161.  
 Haverlack v. Portage Homes, Inc., 442 N.E.2d 749 (Ohio 1982): 270.  
 Hawkins v. United States (W.D. Okla. 1982): 38-39.  
 Hearn, Brown v., (Wis. Patients Comp. Panel 1983): 475-76.  
 Heat & Power Corp., Hewitt v., (Md. Cir. Ct. 1983): 269.  
 Heath v. Sears, Roebuck & Co., 464 A.2d 288 (N.H. 1983): 251-54.  
 Heckman, Baker v., (N.J. Super. Ct. 1983): 306.  
 Heflin v. Nat'l Supply Co. (E.D. Tex. 1982): 327.  
 Heidt v. Riverbay Corp. (N.Y. Sup. Ct. 1982): 126.  
 Heimbuch v. United Services Automobile Ass'n (Cal. Super. Ct. 1983): 320.  
 Heller v. Frankston, 464 A.2d 581 Pa. Cmwlth. Ct. 1983): 349.  
 Helton Westchase, Espanol v., (Tex. Probate Ct. 1982): 275.  
 Hemphill v. Jet Oil Co. (Tex. Dist. Ct. 1982): 171.  
 Hemphill v. Puget Sound Power & Light Co. (Wash. Super. Ct. 1982): 91-92.  
 Henderson Clay Products v. Edgar Wood & Assoc., 451 A.2d 174 (N.H. 1982): 152-53.  
 Henderson Properties, Inc., Dodson v., (Okla. Dist. Ct. 1983): 418.  
 Hendricks v. Truck Ins. Exchange (Wis. Cir. Ct. 1982): 65-66.  
 Hennigan v. Cloud (Tex. Dist. Ct. 1983): 473.  
 Henry v. Marine Drilling Co. (Tex. Dist. Ct. 1982): 13-14.  
 Hensley v. Eckerhart, 103 S.Ct. 1933, (1982): 159.  
 Henson v. City of Dundee, 682 F.2d 897 (11th Cir. 1982): 115.  
 Herbert v. Mohammadbhoy (Fla. Cir. Ct. 1982): 88.  
 Herbert v. St. John's Mercy Med. Ctr. (Mo. Cir. Ct. 1982): 88-89.  
 Herman v. Milwaukee Children's Hosp., 25 ATLA L. Rep. 136 (1982): update at 238.  
 Herndon v. Seven Bar Flying Service, Inc., 716 F.2d 1332 (10th Cir. 1983): 465.  
 Hertz, McFarland v., (N.Y. Sup. Ct. 1982): 65.  
 Hertz Corp, Bolton v., (N.Y. Sup. Ct. 1982): 83.  
 Hesco Sales, Inc., Weiler v., (Fla. Cir. Ct. 1983): 468-69.  
 Hesston Corp., Siruta, 659 P.2d 799 (Kan. 1983): 226.  
 Hester Developers, Inc., Krause v., (Va. Cir. Ct. 1983): 210.  
 Heuschens v. Dep't of Health & Social Services, 25 ATLA L. Rep. 403 (1982): update at 478.  
 Heverly v. Lewis (D. Nev. 1983): 305.  
 Hewitt v. Heat & Power Corp. (Md. Cir. Ct. 1983): 269.  
 Heyer v. City of New York (N.Y. Sup. Ct. 1983): 468.  
 Hickey v. Estate of Head (R.I. Super. Ct. 1982): 42.  
 Highland Realty, Inc., Indianapolis Airport Auth. v., (Ind. Super. Ct. 1982): 68.  
 Highview North Apartments v. County of Ramsey, 323 N.W.2d 65 (Minn. 1982): 74.  
 Hill v. Harleysville Mutual Ins. Co. (N.J. Super. Ct. 1982): 366.  
 Hill-McDonald Boats & Motors, Inc., Todd v., (Tex. Dist. Ct. 1983): 180.  
 Hillier v. Southern Towing Co. (S.D. Ill. 1983): 255.  
 Hilo Coast Processing, Kaneko, 654 P.2d 344 (Hawaii 1982): 129.  
 Hinkie v. U.S., 25 ATLA L. Rep. 367 (1982): update at 478.  
 Hitchcock v. Missouri Edison Co. (Mo. Cir. Ct. 1982): 44.  
 Hoag Mem. Hosp., Frazee v., (Cal. Super. Ct. 1982): 40-41.  
 Hoard v. Benton County R-II Sch. Dist. (Mo. Cir. Ct. 1982): 28.  
 Hobbs v. Armco, Inc. (Fla. Cir. Ct. 1983): 469.  
 Hodge v. Lane, Bryant, Eubanks, Dulaney & Middleton (Ala. Cir. Ct. 1983): 328.  
 Hoffman v. E.W. Bliss Co., 448 N.E.2d 277 (Ind. 1983): 277.  
 Hoffman-LaRoche, Simon v., (Okla. Dist. Ct. 1982): 36, update at 142.  
 Holcomb v. U.S., 25 ATLA L. Rep. 466-67 (1982): update at 46.



- Holiday Inns, Inc., Garrett v., 447 N.E.2d 717 (N.Y. 1983): 358.  
 Holiday Sand & Gravel, Kush v., (Kan. Dist. Ct. 1982): 127.  
 Hollywood Chiropractic Clinic, Bauer v., (Ore. Cir. Ct. 1982): 273.  
 Holm v. Sponco Mfg., 324 N.W.2d 207 (Minn. 1982): 34, 104-06.  
 Holmes v. Lombardo Investment Builders (Ohio Ct. C. P. 1982): 213.  
 Holmes v. Pneumatic Scale Corp., — A.2d — (N.J. Super. App. Div. 1983): 421.  
 Holzhausen v. Beckett Tilford, Inc. (S.D. Fla. 1983): 260.  
 Holzmann v. Dynachem Corp. (Cal. Super. Ct. 1982): 273-74.  
 Homansky v. Ford Motor Co. (Ohio Ct. C. P. 1982): 131.  
 Home Constr. Co. of Mobile, Inc., James v., 689 F.2d 1357 (11th Cir. 1982): 14-15.  
 Home Ins. Co., Barberini v., (Cal. Super. Ct. 1982): 365-66.  
 Hone v. Jewelers Mutual Ins. Co. (S.D. Cal. 1982): 75.  
 Honeywell, Inc., Trend Coin Co. v., (Fla. Cir. Ct. 1983): 450-51.  
 Honish v. Exxon Co. (Tex. Dist. Ct. 1983): 317.  
 Honolulu, City of, Shea v., (Hawaii Cir. Ct. 1982): 350.  
 Honolulu, City of, Tokuyama v. (Hawaii Cir. Ct. 1983): 414.  
 Hooper v. Tufts Univ. (D. Mass. 1983): 309.  
 Hopkins v. Yaskawa Electric Mfg. Co. (Utah Dist. Ct. 1983): 467.  
 Hornaday, Cowman v., 329 N.W.2d 422 (Iowa 1983): 283.  
 Hornick v. Goldenberg (Fla. Cir. Ct. 1982): 39.  
 Hosp. for Joint Disease, Jones v., (N.Y. Sup. Ct. 1982): 40.  
 Hough v. United States (W.D. Mich. 1983): 220.  
 Housing Auth. of the City of New Jersey, Speaks v., (N.J. Sup. Ct. 1982): 222.  
 Howard v. Chris-Craft Corp. (E.D. Tex. 1982): 82.  
 Howard Trucking Co., Smith v., (Tex. Dist. Ct. 1982): 112.  
 Howard Univ., Planells v., (D. D.C. 1983): 405.  
 Hoyle v. General Motors Corp. (Fla. Cir. Ct. 1983): 375.  
 Hubbard v. State (La. Dist. Ct. 1983): 471.  
 Hubbard v. United Press International, Inc., 330 N.W.2d 428 (Minn. 1983): 149-52.  
 Hubbard, Crystal v., 324 N.W.2d 869 (Mich. 1982): 268.  
 Hudleasco, Inc., Cavale v., (N.Y. Super. Ct. 1982): 17.  
 Huebner, D.L. v., 329 N.W.2d 890 (Wis. 1983): 178.  
 Huff v. Rheem Mfg. Co. (W.D. Okla. 1983): 467.  
 Hughson v. St. Francis Hosp., 459 N.Y.S.2d 814 (App. Div. 1983): 472.  
 Hunt v. Pitman Mfg. Corp. (Cal. Super. Ct. 1983): 423.  
 Hunt, Murray v., 25 ATLA L. Rep. 397 (1982): update at 286.  
 Hutchens v. Hankins (N.C. Ct. App. 1983): 297.  
 Hutchins v. Progress Drilling Drilling & Marine, Inc. (E.D. La. 1982): 205.  
 Hutton v. Mayo Clinic (D. Minn. 1983): 376.  
 Hyatt, Gillespie v., (Mo. Cir. Ct. 1983): 275.  
 Hyatt Corp., Lamar v., (Mo. Cir. Ct. 1983): 370.  
 Hydraulic Pumps, Inc., Hall v., (Miss. Cir. Ct. (1982): 118.
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- Idy Corp., Fenton v., (Fla. Cir. Ct. 1983): 463.  
 Illinois Central Gulf R.R. Co., Audubon-Exira Ready Mix, Inc. v., 335 N.W.2d 148 (Iowa 1983): 412.  
 Illinois Gulf R.R., Coghlan v., (Ill. Cir. Ct. 1982): 43.  
 Ilosky v. Michelin Tire Corp., 307 S.E.2d 603 (W. Va. 1983): 371.  
 Imbriaco v. Jersey City Management (N.J. Super. Ct. 1983): 275.  
 Imperial, County of, Wagner v., 193 Cal. Rptr. 820 (App. 1983): 4563.  
 Imperial Cattle Co. v. Imperial Irrigation Dist., 23 ATLA L.Rep. 356-57 (1980): update at 142.  
 In re Air Crash Disaster Near Chicago v., F. Supp. (N.D. Ill. 1983): 403-04.  
 In re Multi-Piece Rims Products Liability Litigation v., 545 F.Supp. 149 (W.D. Mo. 1982): 35.  
 In re Hercules Carriers, Inc. v., (M.D. Fla. 1983): 206.  
 In re Three Mile Island Litigation v., (M.D. Pa. 1982): 212.  
 In the Matter of Cad. V8-6-4 Cls. Act. v., 461 A.2d 736 (N.J. 1983): 355.  
 In the Matter of Goodwin v., 305 S.E.2d 578 (S.C. 1983): 400.  
 Independent Transp. Corp., Verrett v., (E.D. La. 1983): 256.  
 Indiana Motor Bus Co., Pursley v., (Ill. Cir. Ct. 1982): 64.  
 Indiana State Univ., Neff v., (Ind. Cir. Ct. 1982): 273.  
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## WRONGFUL DEATH AWARDS

### Men

\$7,010,000, V, 42-year-old neuroradiologist earning \$125,000,  
 father of 4, 308  
 \$7,009,495, V, 64-year-old rancher, 258  
 \$5,000,000, V, 39-year-old laborer earning \$7,000, father of 4, 328  
 \$3,070,000, V, 27-year-old coal miner earning \$19,000, father, 21  
 \$2,200,000, S, 21-year-old truck passenger earning \$24,000,  
 father of 2, 259  
 \$2,000,000, V, 41-year-old charter pilot earning \$1,200 per  
 month, father of 4, 351-52  
 \$1,850,000, V, 21-year-old college student, 259-60  
 \$1,803,000, V, 27-year-old sales representative earning \$25,000, 112  
 \$1,752,000, V, 33-year-old roughneck earning \$25,000, father, 306  
 \$1,530,200, V, 73-year-old retired schoolteacher, 82  
 \$1,522,000, V, 33-year-old professor, father of 1, 22-27  
 \$1,500,000, V, 35-year-old heavy equipment operator, father, 35  
 \$1,400,000, S, 34-year-old engineering test pilot earning \$70,000,  
 father of 2, 259  
 \$1,400,000, S, 39-year-old pilot, 209  
 \$1,350,000, S, 50-year-old clergyman earning \$28,000, father 16  
 \$1,323,598, V, 66-year-old, 64  
 \$1,303,212, V, 52-year-old wrecking co. president, father, 308  
 \$1,300,000, S, 62-year-old attorney earning \$150,000, father of 2  
 \$1,255,000, V, 35-year-old toolpusher, earning, \$38,400, father, 306  
 \$1,250,000, S, 56-year-old electrician, 279  
 \$1,200,000, V, 36-year-old HMO marketing director earning  
 \$109,000, 206  
 \$1,198,912, V, 51-year-old marketing director earning \$42,000,  
 father of 4, 113  
 \$1,152,349, V, 18-year-old male college student, 414  
 \$1,125,605, V, 47-year-old restaurant owner earning \$30,000,  
 father of 4, 306  
 \$1,015,912, V, 36-year-old soil scientist, father of 3, 317  
 \$1,008,143, V, 48-year-old father of 4, 381  
 \$1,005,000, V, 27-year-old first officer earning \$22,500, 404  
 \$1,000,000, V, 31-year-old ins. co. superintendent, father, 471  
 \$1,000,000, S, 30-year-old restaurant owner earning \$22,000,  
 father of 4, 65  
 \$995,000, V, 27-year-old truck driver, father of 2, 118  
 \$900,000, S, 39-year-old florist earning \$45,000, father of 4, 113-114  
 \$900,000, S, 39-year-old earning \$40,000, father of 3, 181  
 \$900,000, S, 45-year-old, self-employed, father of 1, 308  
 \$873,000, V, 49-year-old accountant earning \$49,000, father of 4, 38  
 \$800,000, S, 55-year-old real estate promoter earning \$20,000,  
 father of 6, 114  
 \$800,000, V, 51-year-old construction worker, 285-286  
 \$800,000, S, 26-year-old welder, father of 3, 363  
 \$800,000, S, 42-year-old sales trainee earning \$12,900, father, 401

\$785,000, V, 36-year-old employee earning \$25,000, 209  
 \$780,000, V, 58-year-old college professor, 305  
 \$778,513, V, 30-year-old business branch manager, 181  
 \$750,000, V, 30-year-old off-duty first officer earning \$19,000, 404  
 \$728,599, V, construction foreman, 351  
 \$700,000, S, 33-year-old Navy pilot earning \$19,500, father, 114  
 \$700,000, S, 31-year-old advertising executive, 66  
 \$687,481, V, 27-year-old aircraft mechanic earning \$14,000,  
 father of 2, 29  
 \$650,000, V, 43-year-old tax consultant earning \$25,000, father of 2  
 \$600,000, V, 30-year-old HMO administrator earning \$35,000, 206  
 \$600,000, S, 34-year-old crane operator, 400  
 \$575,000, V, 46-year-old flight engineer earning \$29,300, 404  
 \$550,000, S, 35-year-old free lance photographer, 66  
 \$530,000, S, 62-year-old retiree, father of 5, 112  
 \$525,000, S, 61-year-old retired Air Force colonel, 449  
 \$520,000, V, 23-year-old marine safety inspector earning \$4,400,  
 father of 1, 255  
 \$501,200, V, 69-year-old, 281  
 \$501,200, V, 69-year-old retired farmer, 327  
 \$500,000, V, 21-year-old steelworker earning \$14,000, father, 135  
 \$500,000, S, 27-year-old hamburger stand owner, father of 2, 172  
 \$500,000, S, 51-year-old apartment manager, 260  
 \$500,000, S, 51-year-old business executive, 209  
 \$494,233, S, 26-year-old commercial fisherman, 259  
 \$485,000, S, 25-year-old derrick handler earning \$13,000, 72  
 \$485,000, S, 42-year-old publications salesperson earning \$18,000,  
 father of 2, 161-62  
 \$475,000, S, 53-year-old toolpusher, 158  
 \$437,000, S, 32-year-old corporate pilot earning \$18,000, father, 404  
 \$425,750, V, 35-year-old unemployed biochemist, 123  
 \$411,586, V, 40-year-old welder earning \$9.00 per hour, 357  
 \$408,000, V, 47-year-old factory worker, father of 1, 226-27  
 \$406,350, S, 31-year-old steam fitter earning \$12,000, father of 1, 17  
 \$400,000, S, 65-year-old man, 39  
 \$400,000, S, 56-year-old railroad engineer, father of 2, 43  
 \$400,000, S, 51-year-old stockbroker earning \$60,000, father, 258-59  
 \$400,000, V, Navy x-ray technician, father of 2, 307  
 \$400,000, V, 46-year-old, unemployed, father of 6, 329  
 \$400,000, V, 65-year-old, 39  
 \$395,250, V, 34-year-old carpenter earning \$12,000, father of 2, 231  
 \$367,000, S, 22-year-old construction worker earning \$10,000,  
 father of 1, 22  
 \$325,000, V, 38-year-old aircraft salesman earning \$10,000,  
 father of 2, 162-63  
 \$303,000, S, 44-year-old hotel porter earning \$7,000, father, 471  
 \$300,000, S, 47-year-old longshoreman, 118  
 \$278,062, S, 53-year-old cancer victim earning \$10,000, father, 134  
 \$270,000, S, 58-year-old unemployed psychiatric patient, 41-42  
 \$250,000, S, 39-year-old social worker earning \$22,000, 160

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\$250,000, V, 20-year-old drug addict, 331  
\$225,345, V, 21-year-old psychiatric patient, 42  
\$215,000, V, 25-year-old divorced seaman, father of 1, 158  
\$190,000, S, 64-year-old laborer, 425  
\$182,796, V, handyman, 333  
\$179,000, S, 21-year-old welder, 222  
\$159,881, V, 55-year-old airline mechanic, 460  
\$145,000, S, 36-year-old business executive, 209  
\$145,000, S, 37-year-old business executive, 209  
\$130,000, S, 30-year-old fireman earning \$15,000, 323  
\$90,000, S, 21-year-old apprentice photographer, 66  
\$84,200, V, 21-year-old college student, 209  
\$75,000, S, 43-year-old, 90  
\$70,000, S, 72-year-old, 127  
\$60,000, V, agriculture worker, 130

## WOMEN

\$1,500,000, V, 35-year-old, mother of 1, 428  
\$1,375,000, S, 65-year-old unemployed widow, mother of 7, 342-44  
\$1,000,000, V, 53-year-old librarian earning \$20,000, mother, 161  
\$801,000, V, 41-year-old, mother of 1, 476  
\$790,000, S, 26-year-old pregnant woman, mother of 1, 134  
\$750,000, V, 35-year-old unemployed mother of 3, 232  
\$625,000, S, 25-year-old lab technician, 448  
\$600,000, V, 28-year-old housewife, mother of 3, 440  
\$600,000, V, 28-year-old housewife, mother of 3, 101-3  
\$570,000, S, 29-year-old housewife, mother of 3, 308  
\$525,000, V, 21-year-old college student, 307  
\$500,000, S, 28-year-old nurse's aide earning \$4.60 per hour, mother of 2, 379  
\$475,000, V, 35-year-old housewife, mother of 2, 232  
\$450,000, S, 58-year-old mother of 2, 112  
\$450,000, S, 40-year-old, mother of 3, 184  
\$450,000, S, 52-year-old, mother of 10, 378  
\$400,000, S, 26-year-old postal clerk earning \$12,000, 16  
\$300,000, S, 46-year-old housewife, mother of 2, 134  
\$300,000, S, 28-year-old unemployed woman, mother of 2, 176  
\$290,000, S, mother of 1 earning \$7.00 per hour, 66  
\$282,929, V, 74-year-old mother of 5, 224  
\$275,000, S, 29-year-old clerical worker, 39-40  
\$250,000, S, 41-year-old mother, 205-06  
\$240,000, S, 31-year-old graphic art designer earning \$13,990, 447-48  
\$236,000, S, 26-year-old book supplier, 448-49  
\$180,000, S, 40-year-old, mother of 4, 38  
\$160,000, S, 35-year-old homemaker, mother of 7, 235  
\$152,000, V, 34-year-old unemployed mother of 3, 137  
\$150,000, S, 64-year-old housewife, 229  
\$130,000, V, 72-year-old retiree, mother of 2, 113  
\$100,000, S, 33-year-old, 370  
\$400,000, S, 33-year-old, mother of 5, 377

## CHILDREN

\$9,318,832, V, 15-year-old girl, 82  
\$3,500,000, V, 13-year-old boy, 355  
\$2,459,588, V, 15-year-old boy, 358  
\$2,000,000, V, 6-year-old boy, 393  
\$2,000,000, V, 7-year-old boy, 393  
\$1,353,139, S, 15-year-old boy, 36  
\$1,000,000, V, 14-year-old boy, 188-89  
\$1,000,000, V, 17-year-old window washer, 413-14  
\$700,000, S, 3-year-old boy, 229-30  
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\$502,412, V, 15-year-old boy, 64  
\$500,000, S, 13-year-old girl, 228-229  
\$367,388, V, 17-month-old infant, 427-28  
\$350,000, S, 2-week-old infant, 474  
\$221,400, V, 12-year-old boy, 127  
\$217,000, S, 9-hour-old infant, 88  
\$200,000, S, 11-year-old boy, 278  
\$175,000, S, 5-hour-old infant, 235  
\$175,000, V, 10-year-old parochial school student, 318  
\$142,000, V, 17-year-old boy, 381  
\$135,000, S, 8-hour-old infant, 137  
\$125,000, V, 5-day-old infant, 59  
\$125,000, V, 16-year-old boy, 237  
\$100,000, S, infant, 40  
\$61,637, V, 14-year-old boy, 194-97, 212-13

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